

to operate within a radius of three-fourths of a mile from the center of the Coolidge Dam, Arizona.

§ 128.17 *Agricultural and grazing leases.* Agricultural leases covering the areas dealt with in the act of April 4, 1938 (52 Stat. 193) shall be made in compliance with the requirements of Part 171 of this chapter, and grazing leases or permits shall be made in compliance with the requirements of Part 71 of this chapter. Lands leased pursuant to the terms and conditions of this part shall not be eligible for benefit payments under the provisions and conditions of the Crop Control and Soil Conservation Act of April 27, 1935 (49 Stat. 163; 16 U. S. C. 590a) as amended by the act of February 29, 1936 (49 Stat. 1148; 16 U. S. C. 590g) and subsequent acts amendatory thereof.

§ 128.18 *Term and renewal of permits.* No concession granted under the provisions of this part shall extend for a period in excess of 10 years. An application for the renewal of a lease, permit, or concession permit shall be treated in the same manner as an original application under this part. Should there be an application or applications other than the renewal application for a permit covering the same area, the renewal application may, if the applicant has met all the requirements of the expiring permit and has been a satisfactory permittee, be given preferential consideration for the renewal of the permit should the applicant meet the highest and most satisfactory offer contained in the several applications.

§ 128.19 *Improvements.* Title to improvements constructed on the premises by the permittee shall be fixed and determined by the terms of the permit.

§ 128.20 *Revocation of permits.* Any permit issued pursuant to this part may be revoked at any time within the discretion of the Secretary. Agricultural and grazing leases dealt with in § 128.17 shall be subject to cancellation as provided for in the respective Parts 171 and 71 of this chapter, and the conditions of the instruments executed pursuant thereto.

§ 128.21 *Notice to vacate.* A permittee shall within 10 days after notification in writing of the cancellation of his permit by the Secretary, vacate the premises covered by the said permit. Any

person occupying lands dealt with in the act of April 4, 1938 (52 Stat. 193) without an approved permit or lease shall be notified in writing by the project engineer of the requirements of this part and that for the failure of such person to comply with these requirements and receive a permit or lease within 60 days after receipt of the written notice shall constitute a willful violation of this part, and the project engineer shall submit promptly to the Commissioner of Indian Affairs a detailed report concerning the case, together with recommendations looking to the taking of appropriate legal action to remove such person from the area and to the collection of such funds to compensate for any use made of the property or damages suffered thereto.

§ 128.22 *Disposition of revenue.* Funds derived from concessions or leases under this part except those so derived from Indian tribal property withdrawn for irrigation purposes and for which the tribe has not been compensated, shall be available for expenditure under existing law in the operation and maintenance of the irrigation project on which collected and as provided for in Part 130 of this chapter. Funds so derived from Indian tribal property withdrawn for irrigation purposes and for which the tribe has not been compensated, shall be deposited to the credit of the proper tribe.

§ 128.23 *Organized tribes.* Concessions and leases on tribal lands withdrawn or reserved for the purposes specified in the act of April 4, 1938 (52 Stat. 193) and dealt with in this part, of any Indian tribe organized under section 16 of the act of June 18, 1934 (48 Stat. 984; 25 U. S. C. 476) for which the tribe has not been compensated shall be made by the organized tribe pursuant to its constitution or charter: *Provided*, No lease or concession so made shall be inconsistent with the primary purpose for which the lands were reserved or withdrawn.

## Part 129—Pueblo Indian Lands Benefited by Irrigation and Drainage Works of Middle Rio Grande Conservancy District, New Mexico

§ 129.1 *Acreage designated.* Pursuant to the provisions of the act of March 13, 1928 (45 Stat. 312) the con-

tract executed between the Middle Rio Grande Conservancy District of New Mexico and the United States under date of December 14, 1928, the official plan approved pursuant thereto, as modified, and the terms of section 24 of a contract between said parties dated September 4, 1936, dealing among other things with the payment of operation and maintenance and betterment assessments by the United States to the District, and section 24 of a similar contract dated April 8, 1938 executed by the representative of the United States, on this date, it is found that a total of 20,242.05 acres of Pueblo Indian lands of the Pueblos of Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia and Isleta is susceptible of economic irrigation and cultivation and is materially benefited by the works constructed by said District. This acreage is designated as follows:

	<i>Acres</i>
Lands with recognized water rights not subject to operation and maintenance or betterment charges by the District and designated as "now irrigated".....	8,847
Lands classified as "newly reclaimed" lands (exclusive of the purchased area).....	11,074.4
Lands classified as newly reclaimed lands (the area recently purchased).....	320.65
Total irrigable area materially benefited.....	20,242.05
(45 Stat. 312) [3 F. R. 1620, July 2, 1938]	

## Part 130—Operation and Maintenance Charges

### AHTANUM INDIAN IRRIGATION PROJECT, WASHINGTON

Sec.	
130.1	Charges.
130.2	Time of payment.
130.3	Deliveries to fee owners.
130.4	Deliveries to Indian farmers.
130.5	Deliveries to lessees.
130.5a	Water users responsible for water after delivery.

### COLORADO RIVER INDIAN IRRIGATION PROJECT, ARIZONA

130.6	Charges.
130.7	Excess water charge.
130.7a	Charges for stock water.
130.8	Time of payments.
130.8a	Advance payment may be waived.
130.8b	Water users responsible for water after delivery.

### COLVILLE INDIAN IRRIGATION PROJECT, WASHINGTON

130.9	Charges.
130.10	Payment.

Sec.	
130.10a	Payments, Monse Pumping Unit.
130.11	Delivery contingent on payment.
130.11a	Water users responsible for water after delivery.

### CROW INDIAN IRRIGATION PROJECT, MONTANA

130.12	Charges.
130.13	Payment.
130.13a	Big Horn Irrigation District, Crow Indian Reservation, Montana; charges.
130.13b	Lower Little Horn and Lodge Grass Irrigation District, Crow Indian Reservation, Montana; charges.
130.13c	Upper Little Horn Irrigation District, Crow Indian Reservation, Montana; charges.
130.13d	Time of payment.
130.13e	General regulations.

### FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

130.15	General.
130.16	Charges, Jocko Division.
130.17	Charges, Mission Valley and Camas Divisions.
130.18	Lands with secretarial private water rights.
130.19	Maximum and minimum charge.
130.20	Payment.
130.21	State-owned land.
130.22	Apportionment of water.

### FLATHEAD IRRIGATION DISTRICT, FLATHEAD INDIAN RESERVATION, MONTANA

130.24	Charges.
130.25	Payment.
130.25a	General regulations.

### MISSION IRRIGATION DISTRICT, FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

130.26	Charges.
130.27	Payment.
130.27a	General regulations.

### JOCKO VALLEY IRRIGATION DISTRICT, FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

180.28	Charges.
130.29	Payment.
130.29a	General regulations.

### FORT BELKNAP INDIAN IRRIGATION PROJECT, MONTANA

130.30	Charges.
130.31	Payment.
130.31a	Water users responsible for water after delivery.

### FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

130.32	Basic and other water charges.
130.33	Payment.
130.34	Delivery to white owners.
130.35	Delivery to lessees without contracts.
130.36	Delivery to lessees with contracts.

### FORT PECK INDIAN IRRIGATION PROJECT, MONTANA

130.38	Charges.
--------	----------